

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. NO.....OF 2014

IN

WRIT PETITION (CIVIL) NO. 494 OF 2012

IN THE MATTER OF:

Justice K.S. Puttaswamy

...PETITIONER

VERSUS

Union of India & Ors.

...RESPONDENT

AND

Centre for Civil Society (CCS),
Through its President, Parth J Shah,
R/o A-69 Hauz Khas,
New Delhi 110 016.

...APPLICANT
(PROPOSED INTERVENER)

PAPER -- BOOK

INDEX

SR. NO.	PARTICULARS	PAGES
1)	<u>I.A. No. of 2014</u> Application for Impleadment with affidavit.	1-7
2)	<u>Annexure P-1:</u> True and typed copy of webpage of www.ccs.in, dated 10.01.2014.	8-10
3)	<u>Vakalatnama</u>	II

ADVOCATE FOR THE APPLICANT : SAVITA SINGH

*Recited copy
By
15/01/14*

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. NO.....OF 2014

IN

WRIT PETITION (CIVIL) NO. 494 OF 2012

IN THE MATTER OF:

Justice K.S.Puttaswamy

...PETITIONER

VERSUS

Union of India & Ors.

...RESPONDENT

AND

Centre for Civil Society (CCS),
Through its President, Parth J Shah,
R/o A-69 Hauz Khas,
New Delhi 110 016.

...APPLICANT
(PROPOSED INTERVENER)

APPLICATION FOR IMPLEADMENT OF PARTY UNDER ORDER
XLVIII READ WITH ORDER VI RULE 2 (3) OF SUPREME COURT
RULES, 1966

To,

The Hon'ble Chief Justice of India and His Companion Justices
of the Supreme Court of India .

The humble petition of the
petitioner above named

MOST RESPECTFULLY SHEWETH

1. That the Centre for Civil Society (hereinafter referred to as 'CCS') is a public policy think tank (registered as a Trust) advancing personal, social, economic and political freedoms.

It aims to usher in an intellectual revolution that encourages people to look beyond the obvious, think beyond good intentions and act beyond activism.

2. That some of the prominent members of the organization are: Shri Ashish Dhawan (Founder and CEO of Central Square Foundation), Shri Amit Kaushik (Former Director of Ministry of Human Resource Development), Shri Gurcharan Das (Former CEO of Procter and Gamble India), Dr. (Shri) Parth J. Shah (President and Founding Trustee of CCS) and Ms. Premila Nazareth (Independent Consultant on Governance and Research).
3. That CCS was ranked among the top 55 think tanks in the world in a study conducted by the Think Tanks and Civil Societies Program at the University of Pennsylvania. CCS received this award for its multi-sector, multi-disciplinary approach, spanning research and analysis, policy reform, proofs of concept, and advocacy to fight for economic, social and political freedom.
4. That CCS advocates for open government, accountability, transparency and decentralization. Our research in this domain focuses on making government work efficiently and effectively through increasing information in the public domain, bringing performance orientation in public administration, and facilitating urban reforms.
5. That it concentrates on bringing affordable quality k-12 education to all, livelihood freedom for the enterprising poor,

property rights for tribals and forest dwellers, good governance through policy reform, effective policing, removing barriers to trade and business, creating a local self-governance unit at Ward level for decentralized management of services provided by urban municipalities, community based provision of social services, regular publication of 'Delhi Citizen Handbook' to further citizens' understanding of the workings of the government and to recommend ideas for improving the quality and effectiveness of governance, etc.

6. It is worthy to mention that CCS, due to its extensive research in the field of governance, has brought out Citizen Handbooks evaluating various State government and municipal departments. The Citizen Handbooks are an innovative step towards ensuring citizen participation in India. The Citizen Handbooks are the first of its kind to offer a consolidated documentation of the current operations and campaigning for unjustified public spending through legislative change. It is also pertinent to mention that CCS was selected by the Government to be the principal civil society organisation in Delhi for implementation of JNNURM. CCS believes in decentralization - introducing choice, accountability, transparency and citizen participation at ward level and empowering local representatives; and New Public Management - improvements in public administration through private participation, monitoring and evaluation of performance and outcomes.

7. Our latest work in the field of governance pertains to examining the efficacy of public sector banks since their nationalization in 1969 and 1980 on the stated social objectives of 'financial inclusion' and 'directed credit' to specific areas.
8. A true and typed copy of the webpage of www.ccs.in, dated 10.01.2013 is herewith annexed and marked as **Annexure P-1. Pg 8 to 10.**
9. That the applicant has come to be aware that this Hon'ble Court has taken up the present matter challenging the executive order notification A-43011/02/2009 – Admn.I of the Central Government, dated 28.01.2009, on the spurious ground that it violates the fundamental rights of citizens and undermines the supremacy of the Parliament. The said order constituted the Unique Identification Authority of India (hereinafter referred to as 'UIDAI') as an attached office under the aegis of the Planning Commission. It further authorized UIDAI to implement the UID Scheme.
10. That the Applicant is of the view that UID Scheme, whereby every individual who enrolls in the Scheme will be given a unique identification number, will enable, amongst other things, in eliminating large number of duplicate identities in government and private organization databases, enable easy verification of every individual, make various welfare schemes easily accessible to a large section of the society, particularly

5

the poor and prevent leakages in these welfare schemes through Direct Case Transfers.

11. That the Applicant is of the humble view that it should become a participant in the present application so that its views are correctly put forward and so that a comprehensive decision can be arrived at by this Hon'ble Court. The Applicant is of the view that its extensive research in the field of governance should be placed before this Hon'ble Court to help it to come to a conclusion which would be both legal as well as beneficial to the society .

12. The Applicant submits that it should be added as a party in the present application so as to ensure proper adjudication of the present matter.

13. This application is made bona fide and in the interests of justice.

PRAYER

It is therefore prayed that this Hon'ble Court may allow the Applicant to be impleaded as a Respondent, in the aforesaid Writ Petition (Civil) No. 494 of 2012 AND pass such other order or orders as it may deem fit and proper.

NEW DELHI:

FILED ON: 14.1.2014

DRAWN AND FILED BY

Advocate for the Applicant

6

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. NO.....OF 2014

IN

WRIT PETITION (CIVIL) NO. 494 OF 2012

IN THE MATTER OF:

Justice K.S.Puttaswamy

...PETITIONER

VERSUS

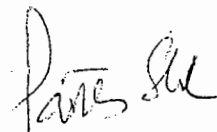
Union of India & Ors.

...RESPONDENT

AFFIDAVIT

I, Parth.J.Shah, son of J.C.Shah, aged about 52 years, resident of K-36 (Second Floor), Hauz Khas, New Delhi – 110016, President – Centre for Civil Society, do hereby solemnly affirm and state as under:

1. That I am the applicant in the present case and am well conversant with the facts of the case and I am competent to depose to this affidavit.
2. That the statements of facts contained in paragraph 1 to 13, pages 1 to 5 of the Application are true and correct to my knowledge.
3. That the annexures annexed here with the Application are true copies of their respective originals.

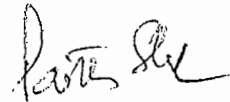


DEPONENT

VERIFICATION

I swear that the contents of my above affidavit are true and correct to my knowledge and the information derived from the record of the case and nothing material is suppressed or concealed therefrom.

Verified at New Delhi on this the 13th day of January, 2014.



DEPONENT

Annexure P-1

www.ccs.in

About CCS**Who We Are**

Centre for Civil Society is a public policy think tank advancing personal, social, economic and political freedoms. We aim to usher in an intellectual revolution that encourages people to look beyond the obvious, think beyond good intentions and act beyond activism.

Our Mission

We seek to challenge conventional wisdom to promote choice, competition and community based policy reforms. Through research, advocacy and outreach, the Centre is reinvigorating civil society and rightsizing political economy to assist India grow out of poverty.

Our work

Our concentration lies in bringing affordable, quality k-12 education to all, livelihood freedom to the enterprising poor and good governance through policy reform. Through our flagship programs, the Centre works on three verticals to bring about effective policy reform: evidence-based research, outreach to current and future leaders, and state and local level advocacy.

Our Principles

CCS champions individual rights, freedom of exchange, rule of law and limited government for India to reap the benefits of political and economic freedom.

Individual Rights—each individual is important, no one should be able to control or enslave another, and people should be free to do as they wish as long as they do not harm the person or property of others, tolerance.

Freedom of Exchange—people should be free to exchange information and their property with others on mutually agreed upon terms.

Rule of Law—no one should be above the law, not even the government. There should be respect amongst individuals and the state, without privileges or social and cultural discrimination.

Limited Government—governments should protect individuals' rights, enforce contracts, and provide basic public goods, but should otherwise leave people free to provide for themselves and each other through civil society.

Centre for Civil Society was ranked among the **top 55 think tanks in the world** in a study by the Think Tanks and Civil Societies Program at the University of Pennsylvania. We received this award for our multi-sector, multi-disciplinary approach,

spanning research and analysis, policy reform, proofs of concept, and advocacy to fight for economic, social and political freedom.

CCS has been instituted as a member of **FICCI's Committee on Elementary Education**. Our extensive research in the field of education allows us to serve as valuable knowledge partners for the committee. In addition we are members of two of their sub-committees that focus on issues surrounding the RTE and Accountability. We have also been included in the **Inclusive Education Committee at CBSE**.

Parth J Shah is a member of the **Mont Pelerin Society**, a group of individuals with the objective to facilitate an exchange of ideas between like-minded scholars in the hope of strengthening the principles and practice of a free society and to study the workings, virtues, and defects of market-oriented economic systems. Members include high government officials, Nobel Prize recipients, journalists, economic and financial experts, and legal scholars from all over the world.

Touche 6/11